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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/073,764

02/11/2002

Mark N. Robins

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EXAMINER

NGUYEN, LUONG TRUNG

ART UNIT

PAPER NUMBER

2622

NOTIFICATION DATE

DELIVERY MODE

05/02/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/073,764	Applicant(s) ROBINS ET AL.	
	Examiner LUONG T. NGUYEN	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 7-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 7-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 2, 7-9 filed on 01/11/2008 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claims 1, 2, 7-9 are objected to because of the following informalities:

Claim 1 (lines 9-10), "wherein said removable medium further comprises a removable memory medium, wherein said removable medium further comprises a removable memory medium" should be changed to --wherein said removable medium further comprises a removable memory medium--.

Claims 2, 7-9 are objected as being dependent on claim 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sarbadhikari et al. (US 5,477,264) in view of Watanabe et al. (US 2002/0039479).

Regarding claim 1, Sarbadhikari et al. discloses an image capturing device, comprising:

a memory storing an enable state variable (firmware memory 32 and RAM instruction memory 31, which stores operating code for the camera, figure 2, column 7, lines 50-67);

a processor (processor 20, figure 2, column 7, lines 50-67) configured to communicate with said memory;

a removable media interface (interface 26, figure 2, column 6, lines 38-30; column 7, lines 30-40) and a removable medium plugged into said removable, media interface, wherein said removable medium further comprises a removable memory medium, wherein said removable medium further comprises a removable memory medium (memory card 24, figure 2, column 6, lines 40-66) and wherein said removable memory medium comprises: a connector for electrically connecting to said removable media interface (a connector is included in memory card 24 for electrically connecting to interface 26, figure 2); and a second memory (memory card 24, figure 2, column 6, lines 40-66) communicating with said connector and storing a second enable state variable (memory card 24 contains “software enhancements”, column 7, lines 50-67); wherein said second enable state variable is loaded into said image capturing device and enables or disables said image capturing device (the “software enhancements” are downloaded from the enhancement file section 24b of the memory card 24 to the RAM 31 of the camera, which enables the camera executes new, improved algorithms, column 7, lines 50-67), wherein the processor is configured to read the value of the second enable state variable and then set the value of the first enable state variable stored in the memory to the value of the second

enable state variable (when the memory card 24 is inserted in into the camera, the processor 20 uses the firmware algorithms in the memory 32 to determine if the memory card 24 contains “software enhancements”. If the memory card 24 does contain appropriate “software enhancements”, these “software enhancements” are downloaded from the enhancement file section 24b of the memory card 24 to the RAM 31 of the camera and used by the programmable processor 20 in place of some portion of the firmware algorithms supplied with the camera from the firmware memory 32, column 7, lines 50-67).

Sarbadhikari et al. fails to specifically disclose a wireless receiver capable of receiving a wirelessly transmitted disable command; a processor configured to communicate with said wireless receiver; with said processor further being configured to disable said image capturing device for image capturing device operation in response to said wireless receiver receiving said wirelessly transmitted disable command. However, Watanabe et al. discloses an electronic camera 10, which comprises an antenna 32 and a wireless communication device 76 (figure 2, page 4, paragraphs [0051], [0054], [0056]); CPU 62, which controls the entire electronic camera 10 and simultaneously control the transmission, communications of the camera (figure 2, page 4, paragraphs [0051], [0054], [0056]); the wireless communication device 76 of camera 10 can receive an image-capturing condition of restricting an image-capturing process (figure 2, page 4, paragraphs [0054], [0056]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Sarbadhikari et al. by the teaching of Watanabe et al. in order to control the use of a camera in certain specified locations where the use of the camera is restricted or prohibited.

Regarding claim 9, Watanabe et al. discloses a temporary enable state variable that overrides said enable state variable when said temporary enable state variable is set to the disable state (Watanabe et al. discloses that the wireless communication device 76 of camera 10 can receive an image-capturing condition of restricting an image-capturing process, this indicates that when the camera receives an image-capturing condition restriction (i.e. *a temporary enable state is set to disable state*), an image-capturing process is restricted or stopped (i.e., *a temporary enable state variable overrides the enable state variable*), figure 2, page 4, paragraphs [0054], [0056]).

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sarbadhikari et al. (US 5,477,264) in view of Watanabe et al. (US 2002/0039479) further in view of Steinberg et al. (US 6,433,818).

Regarding claim 2, Sarbadhikari et al. and Watanabe et al. fail to specifically disclose an input/output port capable of communicating with an external device. However, Steinberg et al. discloses cable connector 14 as an input/output port capable of communicating with computer system 22 through cable 24, figures 1-2, column 3, lines 29-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Sarbadhikari et al. and Watanabe et al. by the teaching of Steinberg et al. in order to allow the camera communicates with an external computer. Doing so, the camera can be programmed by an external computer (column 3, lines 38-40).

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable Sarbadhikari et al. (US 5,477,264) in view of Watanabe et al. (US 2002/0039479) further in view of Miyazawa (JP 2000-350132) and Savitzky et al. (US 6,571,271).

Regarding claim 7, Sarbadhikari et al. and Watanabe et al. fail to specifically disclose said second memory further storing an image capture device identifier, wherein said removable memory does not enable said image capturing device unless said image capturing identifier corresponds to said image capturing device.

However, Miyazawa discloses the electronic camera 1, which is provided with an ID-ROM 21a that stores identification information specific to the electronic camera 1, an IEEE 1394 terminal T1 to which the identification information is entered, a system controller 21 that discriminates matching between the entered identification information and the identification information stored in the ID-ROM 21a and regulates reading of image data from the built-in memory 17 by the memory control circuit by the memory control circuit 16 based on the result of discrimination, figure 2, see abstract, paragraph [0035]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Sarbadhikari et al. and Watanabe et al. by the teaching of Miyazawa in order to provide an electronic camera that is suitable for a rental service in a closed area (abstract).

Sarbadhikari et al., Watanabe et al. and Miyazawa do not disclose the entered identification information is stored in a removable memory. However, Savitzky et al. teaches that the camera identifier is stored in a memory card 502 (figure 5, column 4, lines 7-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Sarbadhikari et al., Watanabe et al. and Miyazawa by the

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teaching of Savitzky et al. in order to let an user easier when using a rental camera, he or she does not have to remember the identifier of a rental camera when operating the rental camera since the identifier of the camera is stored in a removable memory card.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sarbadhikari et al. (US 5,477,264) in view of Watanabe et al. (US 2002/0039479) further in view of Limsico (US 6,662,228).

Regarding claim 8, Sarbadhikari et al. and Watanabe et al. fail to specifically disclose a dongle, with said dongle including circuitry that enables said image capturing device. However, the use of a dongle is well known in the art as taught by Limsico (column 3, lines 1-9). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Sarbadhikari et al. and Watanabe et al. by the teaching of Limsico in order to secure a device from unauthorized access.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LTN
04/26/08

/LUONG T NGUYEN/
Examiner, Art Unit 2622

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